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By ECF

The Honorable Kimba M. Wood
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: United States v. Livan Fernandez, 16 Cr. 311 (KMW)

Dear Judge Wood

Counsel for Livan Fernandez writes regarding the violation of supervised release conference currently scheduled for May 17, 2023. The parties are discussing a potential resolution, and are endeavoring to reach such a resolution before the week of June 12, 2023.

We have conferred via telephone with the Government, and the parties believe an adjournment until a date after that time would allow the parties to present the Court with more information to facilitate the resolution of the violation of supervised release proceedings. Counsel for Mr. Fernandez therefore respectfully requests that the Court adjourn the upcoming conference to a date after June 12, 2023. The Government consents to the adjournment. The parties jointly propose June 14, 2023 as an alternative date for the court.] *Granted*

Finally, Counsel for Mr. Fernandez respectfully requests that the conditions of Mr. Fernandez's bail be modified to include the following:

"Mr. Fernandez is permitted to leave his home for specific periods of time to go to particular locations in the SDNY or EDNY upon notice and advance approval by the Probation Department. Mr. Fernandez shall provide advance notice in writing, which will contain the justification for the request. Such notice shall be given at least 24 hours in advance, if practicable. Approval shall be in writing and is at the sole discretion of Probation. Probation has the right to request proof either before the request or after, and Mr. Fernandez must comply with such request. Probation may revoke any approval at its discretion."] *Granted*

We have conferred via telephone and email with the Government and Probation on this proposal, and they consent to the modification.

*The conference is adjourned
to June 14, 2023, at 11:30 a.m.*

SO ORDERED: N.Y., N.Y. 5/17/23

Kimba M. Wood
KIMBA M. WOOD
U.S.D.J.